Supreme Court

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No. 1494 and No. 1393

In the Supreme Court of the United States

OCTOBER TERM, 1969

No. 1494

ALOE CREME LABORATORIES, INC.,
Petitioner,

vs.

AMERICAN ALOE CORPORATION,
Respondent.

No. 1393

ALOE CREME LABORATORIES, INC.,
Petitioner,

vs.

MILSAN, INC., et al.,
Respondents.

Petition for Rehearing

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In the Supreme Court of the United States

OCTOBER TERM, 1969

No. 1424

ALOE CREME LABORATORIES, INC.,
Petitioner,

vs.

AMERICAN ALOE CORPORATION,
Respondent.

No. 1398

ALOE CREME LABORATORIES, INC.,
Petitioner,

vs.

MILSAN, INC., et al.,
Respondents.

Petition for Rehearing

Petitioner in both of the above cases hereby petitions this court for rehearing of the decisions entered therein denying certiorari.

1. This Court's orders denying certiorari in both of the above cases were entered on May 25, 1970.

2. On that same date (May 25) a cross petition for certiorari was filed, entitled *American Aloe Corporation,*

Petitioner v. *Aloe Creme Laboratories, Inc., Respondent* (No. 1609). The petition in No. 1609 involves questions relating to the ALO- trademark, which was the subject of the petitions in both these cases.

3. As appears in respondent's brief in opposition to the cross petition for writ of certiorari filed in No. 1609, petitioner here (and respondent there) does not feel that the questions presented there are sufficient to merit the granting of a writ of certiorari to the Seventh Circuit.

4. In the event that this Court decides to issue a writ of certiorari in No. 1609, however, petitioner strongly feels that this Court should reconsider its denial of the petitions in the above cases and grant the writ in both of these cases so that the entire records will be before the Court.

5. The denial of the writs of certiorari in both these cases and the simultaneous petition for writ of certiorari by petitioner in No. 1609 is an event which the petitioner in both these cases could not have anticipated at the time the petitions were filed.

6. If this Court considers the antitrust questions involving the ALO- trademark which are raised by the petition in No. 1609, it should grant certiorari in both of these cases to consider the validity of the ALO- trademark.

Respectfully submitted,

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE OF COUNSEL

CHARLES J. O'LAUGHLIN, being sworn on oath states as follows:

1. He is an attorney admitted to practice law in the State of Illinois and before this Honorable Court.

2. The foregoing petition for rehearing presented in cases Nos. 1424 and 1398 is presented in good faith and based upon facts which this affiant states to be true.

3. The foregoing petition for rehearing presented in cases Nos. 1424 and 1398 has not been submitted for the purpose of delay.

.....
Charles J. O'Laughlin

Subscribed and sworn to
before me this ..... day of
June, 1970.

.....
Notary Public